

CHAPTER NO. 808**SENATE BILL NO. 2850****By Curtis S. Person, Jr., Norris****Substituted for: House Bill No. 2872****By Shepard, Coleman, Maddox, Litz, Fitzhugh, Pinion, Yokley, Garrett**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 30, relative to anatomical gifts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-30-102, is amended by adding the following new subdivision (3) and by redesignating the subsequent subdivisions:

(3) "Document of gift" means a writing of any nature used to make an anatomical gift, including but not limited to a card, a will, or a statement attached to or imprinted on a driver license.

SECTION 2. Tennessee Code Annotated, Section 68-30-115(a), is amended by deleting subdivisions (1)-(6) in their entireties and by substituting instead the following:

(1) A guardian or conservator of the person of the decedent at the time of death if the court order authorizes the guardian or conservator to make health care decisions;

(2) A person legally authorized to make health care decisions for the decedent prior to death including but not limited to a person with the power of attorney for health care pursuant to Tennessee Code Annotated, Section 34-6-201;

(3) The spouse of the decedent;

(4) An adult son or daughter of the decedent;

(5) A parent of the decedent;

(6) An adult sister or brother of the decedent;

(7) A grandparent of the decedent; and

(8) Any other person authorized or under obligation to dispose of the body.

SECTION 3. Tennessee Code Annotated, Section 68-30-115(c), is amended by deleting the language "(a)(1) and (2)" and by substituting instead the language "(a)(3) and (4)" and by deleting the language "(a)(3) through (6)" and substituting instead the language "(a)(1), (2), (5), (6), (7) and (8)".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 20, 2004


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 3rd day of June 2004


PHIL BREDESEN, GOVERNOR